CONGRESS.

The Oregon Electoral Question Before the Senate.

CRITICISMS ON GOVERNOR GROVER'S ACTION.

The Amendment Giving the Counting of the Electoral Vote to the Supreme Court

Debate in the House on the Joint Rules.

WASHINGTON, Dec. 12, 1876. Mr. MERRIMON, (dem.) of N. C., submitted a reso lution providing for an additional rule for the government of the Senate, so that the River and Harbor Ap propriation bill and the amendments proposing appropriations for the improvements of rivers and harto the Senate, refer them to the Secretary of War and Chief of Engineers, which officers shall inquire and report as to the expediency of the proposed improve ment. Referred to the Committee on Rules.

The report of the Postmaster General was then taken 'rom the table and referred to the Committee on Post Offices and Post Roads, and that of the Secretary of the Treasury to the Committee on Finance.

DEPUTY MARSHALS. Mr. EDMUNUS, (rep.) of Vt., called up the resolution submitted yesterday by Mr. Bayard, of Delaware, di-recting the Attorney General to communicate to the Segate the total number of deputy marshals employed throughout the United States, in connection with the election of November 7 last, stating the number so employed in each State and each voting precinct respectively, and the length of time so employed.

the Attorney General also to furnish the Senate with a full statement of the causes and necessity of such employment, the object thereof, what duties they were to perform how far they performed the duties and the

The amendment was accepted by Mr. Bayard and the resolution as amended was then agreed to. THE LOUISIANA COMMITTEE.

Mr. Booy, (dem.) of Mo., presented a memorial, ugned by himself, Senators Stevenson and McDonald, embracing the report of the Democratic Committee, which witnessed the canvass by the Returning Board

Mr. MITCHELL, (rep.) of Oregon, called up the resolution reported by him yesterday from the Committee on Privileges and Elections directing that committee to inquire into the facts attending the appointment of

residential electors in Oregon. Mr. Wayre, (dem.) of Md., said he had no objection

Presidential electors in Oregon.

Mr. Whyte, (dem.) of Md., said he had no objection in the resolution, providing the preamble be dropped, the could not vote for the preamble, which declared that certain persons were elected. If one of these persons was ineligible he was not elected.

Mr. Mitchell, said he did not intend to go into any discussion of the question of the electoral vote of Oregon. It would be discussed hereafter by more able men. It was not often that the country was startled, as it had been, by a violation of law by the chief executive 8f the State of Oregon. The constitution of that State, in specifying and defining the duties of the Governor, says:—'He shall take are that the laws be lathfully executed." It also provides that, in all elections held by the people, the person or persons receiving the highest number of votes shall be declared elected, and, further, that the vote for Presidential electors shall be canvassed in the same manuer as votes for members of Congress, and that the Governor shall issue his certificate of election to the person or persons having the highest number of votes. The law nowhere gives the Governor jurisdiction to enter into the question of the eligibility of this or that man. This is not a case where the officer has taken jurisdiction without any authority of law. He thought, with all the lacis before them, there would be none here or elsewhere the bardinood to defend the act of the Governos of the grant production without any authority of law. He thought, with all the lacis before them, there would be none here or elsewhere the bardinood to defend the act of the Governos of the chardinood to defend the act of the Governos of the chardinood to defend the act of the Governos of the chardinood to defend the act of the Governos of the chardinood to defend the act of the Governos of the said the bardinood to defend the provide them and relusing the said the desired very briefly to present some authorities on this subject, which he had not with him when the subject was

person receiving the insports had been given voters before the election. Mr. Morton next read from the New York reports to show that it had been decided in that State that the mengibility of the person receiving the highest number of votes did not elect the minority and/ozer.

Mr. Saulsbury, (dom.) of Del., said the Governor of

mandidate.

Mr. Sattisher, (dom.) of Del., said the Governor of Dregon, in his statement of facts attending his action, and persons who voted for Watts had business with als office and knew that he was Fostmaster.

Mr. Morros repited that perhaps not one person in a flousanck knew that holding the office of postmaster disqualified him from being an elector. Perhaps there was not one man in the convention which placed the plectoral ticket in nomination who knew placed the plectoral ticket in nomination who knew that holding the office of postmaster disqualified a person as Presidential elector. Governor Grover chained in his fetter that his action was sustained by both the English and New York authorities; but he was wrong, as he was not sustained by either.

Mr. Maxev, (dom.) of Texas, said the ineligibility of Mr. Watts was spoken of by democratic speakers in Dregon during the campairs.

Mr. Logan said—suppose every voter in the State was notified that Watts was ineligible, that did not elect the other man.

Mr. Mortox, resuming, said in England it had been be a that, where a voter had been specially notified of the ineligibility of a candidate and persisted in voting for such candidate, he threw his vote away and the amourity candidate was elected. But in this country that seen heid that even such direct information of the ineligibility of a candidate did not elect the minor-ty candidate.

the ineligibility of a candidate did not elect the minor-ty candidate.

Mr. Sangest, (rep. of Cal.) said be knew something

the melegibility of a candidate did not elect the minority candidate.

Mr. Sameent, (rep. of Cal.) said be knew something about Pacific slope politics, and he did not think it had been proclaimed by democratic speakers throughout Oregon that Waits was ineligible.

Mr. Miterial, of Oregon, and he spoke twenty-five times during the line campaigh, and visited hearly every county in the Stare, and he never heard any question raised as to the eligibility of Waits, either by lemocrats of republicans, or in any newspape. He eli Oregon on the lith at November for San Francisco, and heard nothing of the ineligibility of Waits (ill he reached that city.

Mr. Mearon kaid everybody knew the desire of both pointers parties for success. If the attention of the republicans of Oregon had been called to the fact that Waits was ineligible they would have changed the licket at once. Mr. Morton again quoted from numerous kinglish and American authorines in support of his argument. He then referred to the action of the Governor of Oregon, and said the eligibility of Waits was a jodicial question with which toovernor Grover had nothing to do. He had no right to decide it. The Governor had a ministerial duty to perform by issuing his certificate to those who received the highest number of votes, and it was a clear usurpation of power on his part to attempt to decide a paipable wrong, for which no excuse could be offered. Under an old English law persons executed for crime were burned by the roadside, and every one when passed east a stone at the grave, so that the monument of the criminal inight grow up with each generation, which would increase its magnitude.

Mr. Wars submitted a joint resolution proposing an assendment to the constitution so as to have the electoral vote counted by the Supreme Court.

Mr. Edwards which would increase its magnitude.

Mr. Warshyn he report of the commission to injure into the feeting the joint resolution extending the lime for making the report of the commission to injure into the legisted so the co

Mr. Mraginos said the object of his amendment was

to cut off any hope of office that a Supreme Court Judge might expect at the hands of a Fresident. He (Mr. Merrimon) could not support the joint resolution, but if it must pass he would be giad to have it in the most acceptable shape. He thought this measure would involve the Supreme Court more or less in politics. The influence and great power of the Supreme Court consisted in its moral weight. If such a provision as the one now before the Senate should become a law the result would be to involve the court in politics, and in the end it would be brought into contempt. Mr. Ensurement would be brought into contempt. Mr. Ensurement would not oppose the amendment submitted by the Senator from North Carolina (Mr. Merrimon). He did not understand that the measure now proposed would imnose a political duty upon the Supreme Court any more than its duty now when called upon to decide the constitutionality of any law passed by Congress was a political one. This measure was to apply the adpreme law of the land to a saute of facts presented to the court.

Mr. Menninon argued that the object of this proposition would be virtually to make the Supreme Court a national returning board for the election of President, and it would be brought into contempt. The dignity, the integrity, the sacredness of that court should be protected and shielded, not only by the legal profession, but by the whole American people, from the caumintes too often indulged in by both political parties. The amendment of Mr. Merrimon was then agreed to

Mr. Conkling, (rep.) of N. Y., in reply to a question from Mr. Key, said that one object of the Judiclary

because they do not bind either party to the agreement.

The Spraker stated that the history of the two houses as to the joint rules showed that when any proposition by one House to amend them failed in the other House the rules continued to be recognized, accepted and acted under as if they were in full force.

Mr. Kasson—That only shows that the House proposing an amendment consented that the rules should go on without amendment.

The Spraker—The Chair thinks that that which takes two bodies to do takes two bodies to undo. It is a mere matter of opinion.

Mr. Spraker—The joint rules were adopted in the form of a concurrent resolution annot be repeated by one body without the consent of the other.

Mr. Hoar—Does, the gentleman say that a rule adopted by a concurrent resolution at the beginning of the government binds successive Houses forever, until the Schate abandons if?

Mr. Spranger—Until both houses abandon it—I do certainly. The gentleman from Massachusetts himself, when the Presidential votes of 1873 were being counted, objected to votes being cast for Horace Greeiey because he was dead, and his objection was hased on the twenty-second joint rule, which never had been readopted since its adoption in 1865.

Mr. Hoar—Both houses were acting under it by consent.

Mr. Spranger—It never had been readopted and had

parties. The amendment of Mr. Merrimon was then agreed to Mr. Conkling, (rep.) of N. Y., in reply to a question from Mr. Key, said that one object of the Judiciary Committee in requiring electors to vote rica roce instead of by ballot was to have the provision of the constitution forbidding electors to vote for candidates for President and Vice President from the same State carried out. If allowed to vote by ballot this provision of the constitution could be violated; but if electors were required to vote rica roce it could not be violated. The question being on the final passage of the resolution, Mr. Hody said that he desired to speak upon the subject, but had no opportunity to prepare binself yet. He asked that further consideration of the joint resolution be postponed until to-morrow.

Mr. Mogrox said the subject was one of great importance, and he trusted it would be laid over until Monday next, so that the Senators might have time to examine into it. Mr. Hoar—Both houses were acting under it by consent.

Mr. Springer—It never had been readopted and had no validity at all except that given to it in 1865.

Mr. Hoskins, (rep.) of N. Y.—It the gentlemns from Illinois holds that these joint rules cannot be abrogated except by consent of the two houses, I would like to inquire by what law or authority (after the Senate has repealed and refused to recognize them) the House or any other body can enforce them?

Mr. Springer—We cannot compel the Senate to abde by its own rules. That body is a "law unto itself," but we can on our part abide by those rules, and we choose to do it. (Applause on the democratic side.)

we choose to do it. (Applause on the democratic side.)

Mr. McChart remarked that Speaker Kerr decided at the beginning of inst session that each House has, under the constitution, the absolute right to make the rules which govern its proceedings, and, therefore, the rules which had been adopted in the Forty-third Congress were not in force at the beginning of the Forty-fourth. That decision covered the whole ground in this controversy, unless the gentieinen would say that a joint rule was a rule for the government of the House is of Representatives.

The Speaker—It does not follow that the House is not governed by the joint rules, espenially when the

Mr. BLAIR, (rep.) of N. H., introduced a constitu

tional amendment forbidding the manufacture and sale

of distilled fiquors as a beverage after the year 1900.

Mr. BLAND, (dem.) of Mo., demanded the resumption

of business under the twenty-first joint rule, which re quires that at a second session of Congress the unflu

ished business of the preceding session shall be taken

The SPEAKER caused the rule to be read, and decided that maximuch as that rule was inoperative the unfin-ished ousiness of the last morning hour of the last ses-

Mr. BURCHARD, (rep) of Ill., suggested that, while

he had no objection to the resumption of the business of the last morning hour of the last session, it should

The SPEAKER remarked that both rules were to the

same effect, except that joint rule No. 21 was im-

perative, using the word "shail."

Mr. Gampiend, (rep.) of Onio, said he had no object

the House. But if that ruling implied that the twenty irst joint rule was in existence and binding on the House he should respectfully appeal from that decision

Mr. BURCHARD-It is unnecessary to appeal from the tectsion of the Chair so far as the 135th rule is con-

decrined.

Mr. Garrield—I do not take that appoal.

Mr. Berghard—The question does not arise whether the twenty-first joint rule is in force or not, and before the Speaker decides that question (if it should arise) the gentiemen on this side of the House desire to be heard on it.

Mr. Garrield said he agreed perfectly with the

heard on it.

Mr. Garrento said he agreed perfectly with the ruling of the Chair under the 136th rule; but he wanted to call the attention of the Chair to the fact that the very joint rule which had been referred to,

or digest, was not printed as a rule of the present Congress. But the joint rules were headed "Joint rules and orders of the two houses as they existed at the close of the Forty-third Congress."

The Spraker.—That was put in there without the authority of any one who had the right to authorize

GARRIELD -Certainly; I admit that freely, and

be resumed under rule 136 of the House.

The SPEAKER-The Chair so decides

sion must have preference.

The SPEAKER—In the Jugment of the Chart the Joint reles operate to bind both houses until they are vacated.

Mr. Kasson—By one body?
The SPEAKER—The Chair did not say that.
Mr. Hoan, of Massachussetts, remarked that the proposition advanced on the democratic side was a reductio act absurdam, and he was willing to have any collection of schoolboys or any collection of statesmen in the country able to understand those principles of parliamentary law which every American budy in the cradle was supposed to know instinctively consider such a proposition as that.

Mr. SPEANUS, in reply to Mr. Hoar's suggestion as to schoolboys, referred him to the opinion of his former colleague (General Butler), given in an interview with a reporter of the New York Herath, to the effect that if an instrument says that A and B are to do a certain thing, as for example to make an award or to enter a judgment, A cannot do it without B, nor can B do it without A.

The discussion here closed, and under the ruling of the Speaker the House proceeded to the undinished business of the last session, which was the bill reported by Mr. Bland, of Missouri, from the Committee on Mines and Mining, to utilize the products of gold and silver mines.

Mr. Bland explained that in the present political

Mr. Morrox said the subject was one of great importance, and he trusted it would be aid over until Monday next, so that the Senators might have time to examine into it.

Mr. Edmunds said it was not his intention to undely press this subject before the Senate, but the Senators could not shut their eyes to the fact that the present condition of affairs was unsatisfactory, and if there was any way to settle this scrious difficulty—one which alarms a great many people—that way should be taken as speedily as due consideration would silow. This matter had been on the tableso the Senators since last session, and he could not consent to its pestponement until next week. He did not feel at liberty to press it to a vote to-day, and therefore would not oppose the request of the Senator from Missouri (Mr. Begy) to allow it to lie over until to morrow. The matter should be acted upon as speedily as possible, in order that the other house of Congress could have time to act upon it and the Legislatures of three-tourths of the States have time to ratify it. If acceptable. On the other hand, if it should fail, Congress should not be slow in finding some other means of ascertaining the result of the last Presidential election.

Mr. Morrox again opposed the measure, and said the Senato was called upon to re-enact by it the electoral college with all its faults, and also the provision of the constitution authorizing the House of Representatives to elect a President, which was a dangerous one; in his opinion both these provisions of the censtitution should be wiped out. There was a bill now before the Senate, he said, to provide for counting the electoral vote, which had passed the Senate but was still on the table, owing to a motion to reconsider which had been entered. This bill might be passed to meet the present demendment which re-enacted two of the most dangerous provisions of the constitution.

Pending discussion Mr. Oglessiy, of limiois, introduced a bill to almend the act of August II, 1876, providing for the sale of the C

by Mr. Bland, of Missouri, from the Committee on Mines and Mining, to utilize the products of gold and silver mines.

Mr. Bland explained that in the present political condition of the country he thought that he would be warranted in saying that the commission appointed by Congress to inquire as to the desirability of the double standard of money could make no report in time for action by this Congress; this bill should, therefore, pass the House, and when the commission did make its report the bill could be accordingly amended in the Senate. He desired, however, to offer as a substitute for the bill originally reported one providing that there shall be, from time to time, coined at mints of the United States siver dollars of the weight of 412½ grains of standard silver to the dollar, as provided for in the act of January 18, 1837, and that said dollar shall be a legal tender for all debts, public and private, except where payment of gold coin is required by law. Mr. Cox, (dem.) of N. Y., inquired whether it would not be wiser, in view of the present condition of the country, to postpone action till the commission had made, its report. Though he might concur with the gentleman from Missouri (Mr. Bland), he did not desire to vote on such an important measure without hearing the report of the commission.

Mr. Blaxs replied that it the bill were to be passed at all the sooner it were acted on the better. Centiemen who had fithustered against it last session found on their return home that their constituents were not in harmony with them.

Mr. Monkou, (rep.) of Ohio, proposed as a compromise on the part of the opponents of the bill that the demand for the previous question to accounter and two hours' dobate on the bill permitted. The proposition was agreed to, the debate to last two hours' one to morrow and one on Thursday. The bill then went over.

Mr. Holman, (dem.) of Ind., Chairman of the Com-

Mr. Holman, (dem.) of Ind., Chairman of the Com-Mr. Holman, (dem.) of Ind., Chairman of the Committee on Appropriations, reported the Post Office Appropriation bill, which was made a special order for the morrow after the morning hour. The bill recommends the appropriation of \$32,983,125.

The Spraker hid before the House the resignation of smith Ely, Jr., as Representative from the State of New York. Laid on the table.

The Spraker appointed as the committee to inquire as to whether frauds have been practised in the election in New York, Brooklyn, Jersey City and Philadelphia, Messrs. Cox., of New York; Rice, of Ohio; Waddell, of North Carolina; McDougall, of New York, and Wells, of Misslessppt.

Coroner Croker will hold an inquest to-day into the

The Syrakker-Inal was put in there without the authority of any one who had the right to authorize it.

Mr. Garfield continued to quote from the digest to the effect that the omission was explained by the resolution of the Senate of the 22d of January, 1876 (setting it out in full). That resolution asked the concurrence of the House, and had been referred to the Committee on Eules, but had never ocen acted on. This same question had arisen ast week in the Senate and it was then determined (with but four dissenting votes) that there are no joint rules in force.

Mr. McChart, (rep.) of lows, sent to the Clerk's desk and had read an extract from the House proceedings of the last session to how that on a question which then arose Mr. Speaker Kerr ruled that the constitution gave each House the right to adopt its own rules, and that that right could not be superseded.

The Speaker Kernarked that the extract just read confirmed in a remarkable manner his present judgment, inasmuch as in that discussion the word 'joint' was not once used, but that the whole discussion had reference only to the House rules proper, implying that the joint rules were to be reached in some other way than by the simple action of the House.

Mr. Garfield were to be reached in some other way than by the simple action of the House, and that the proposition that a joint rule coming from a former Congress had any more authority in the Forty-lourin Congress than a House rule had, was, if not abourd, entirely untenable.

The Speaker—Has not the gentlemen himself frequently in former Congresses moved to suspend the sixteenth and seventeeth joint rules, without those rules having been formally adopted by that Congress?

Mr. Garfield—Certainly; I samit that freely, and for the reason that whenever the two houses of Concause of the death of Percy McQuillen, who died in the Tombs on Monday, December 4. There is a mystery surrounding the death of this man which will probably be fully investigated. McQuillen, who has been rather teenth precinct station house on a charge of insanity. At ten o'clock on Saturday, December 2, he entered the station house and confidentially informed Sergeant McCullough that and confidentially informed Sergeant McCullough that he had seen a procession of 15,000 burglars on Broadway and that he had arrested them all and now claimed the \$3,000 reward. Seeing that the man acted as a lunatic the Sergeant questioned him, and he, in reply, gave his correct name and address. Ronnetsman Belt in the atternoon took him before Judge Morgan at the Tombs, and he was committed to the care of the Commissioners of Chartices and Correction. Warden Quinn states that on his admission to the fombs McQuilien showed signs of an attack of delignm tremena, and soon afterward the melady showed itsoif in its most acute form. A straight jacket and handculfs had to be placed on him. On Monday he was attended by Pr. Finnell and Dr. Lockrow, who did all they could for him, but he sank rapidly and died. McQuilien diver with his sister, Mrs. James B. Hankins, at No. 35 Great Jones street. He left there at a tree o'clock on Saturday, after quietly making his toilet and esting his breakfast. At ten o'clock his hame appears on the blotter or the Fourteenth precanct station house. At three o'clock in the same day he was committed by Judge Morgan, at the Tombs, for 'examination within five days," on a charge of lunacy. On Monday ziternoon he died in the Tombs.

Mr. Sholtz, undertaker, No. 227 Bowery, stated to a Hexaltz prepeter that the body was sent to his store on Tuesday and an autopsy was made by Deputy. Coroner McWhunne. The gause of death was given as "Bright's disease of the kidneys." The funeral took place on Wednesday, and he was buried in the Cemetery of the Evergreens, at East New York. McQuillen's friends claim that he was beaten in the Tombs, but Warden Quinn strongly denies this, and says that everything possible was done to save his life. he had seen a procession of 15,000 burglars on Broadrules having been formally adopted by that Congress?

Mr. Garrieth—Certainly; I admit that freely, and for the reason that whenever the two houses of Congress proceed without challenge to act under rules there is an implied assent to those rules, and they are tacily adopted. But the assumption of the Speaker's ruling to-day is that the House can bind the senate to be governed by rules to which it oues not consent, and of course, ever errea. In that way a Congress that sat ten years ago could bind all later Congresses for ever, unless one body chose to release the other from the oid obligation of a dead Congress, thus absolutely nullifying the constitutional privileges and prerogatives of the House and also of the Senate. We have never adopted the joint rules for the Forty-lourin Congress; we have never concurred with the Secate in the rules which it proposed to adopt; the last and present pressing officer of the House, the pressing officer of the Senate, our journal, our body of rules in the form of a digest, all concur in the admission that there are no joint rules of the Forty-lourth Congress. Still do not wish on an incidental or informal point to bring the House to a vote on this question without time for consideration. Everybody can see that there can be a very great public question that will turn upon the twenty-second joint rule, and I prefer that whenever we come to that discussion we shall come to it on a direct issue, with full debate. I therefore withdraw the appeal.

Mr. Springer, (dem.) of Hit, asked Mr. Garfield whether the joint rules were in existence at the close of the Forty-third Congress.

Mr. Garviran declined to answer until after has should have examined the question.

The Spranger.—The Chair does not wish by any statement of his to patiety at that who now at here, only and the first point rules were in existence at the close of the Forty-third Congress.

Mr. Spranger.—These joint rules have never been readopted by any subsequent Congress from the founda-

AN IMPORTANT ARREST.

A despatch was yesterday received by Acting Superintendant Dilks from Chief of Police Jones, of Phila-delphia, stating that he had arrested there a receiver of stolen goods named Charles Hill, on whose premof stolen goods named Charles Hill, on whose premises was found a quantity of jewelry supposed to be a portion of the jewelry contained in the trunk stolen while in transit from Saratoga to Now York about two months ago. The jewelry in the trunk was valued at \$22,000 and was the property of Mr. Englander, a jeweller of Saratoga. One of the accomplices to the robbery proved to be a colored man named McKenzie, who was some time alterward captured and sentenced to a term in Sing Sing. He would not, however, disclose the name of his accomplices or indicate the whereabouts of the stolen property. Detective Dunn will be sent to l'hiladelphia to identify the property. unanimously a resolution to suspend the joint rules Nos. Is and It.

Mr. Springer.—These joint rules have never been readopted by any subsequent Congress from the foundation of the government to the present time. The twenty-second joint rule was acted under in the counting the votes of the fresidential electors in 1869, and also in 1873, and yet it was never adopted but once, in 1864.

Mr. Hoar, (rep.) of Mass., asked the Speaker whether a rule of action which had been handel down by their consent from Congress to Congress as to the mode of proceeding of the two houses was not necessarily abrogated by a message from one of them to the other that it considered these joint rules ne longer in force? Otherwise would not the House be bound, not merely by the act of a previous House, as in the case of its own rules, but by the act of a previous Senate?

Mr. Springer.—If the doctrine be maintained that when a joint rule is established between the two houses one of them can abrogate that rule at its will there is no agressity whatever for adopting dain rules.

A SHORT TERM.

A tew days ago Mr. Adrian Feyh, the welss bler brewer, residing at No. 266 William street, received a letter, written in German, signed Otto Schubert, fornerly in his employ, threatening to expose to the authorities certain unlawful practices carried on in his brewery if he (Feyh) did not promptly furnish him with \$400 and a pass to Europe. Feyh alleges that the communication was sent to him for the purposes of blackmast and caused Scuubert's arrest. He was taken before Justice Morgan, at the Tombs, but, after spending three days in jail, he was released at the in-stance of the complainant, who for some reason re-leased.

BROOKLYN'S DISASTER

The Scene of Snowy Desolation Among the Ruins.

TAKING DOWN THE WALLS.

Progress of the Relief Movement-A Reminiscence.

A Touching Reminiscence-Precautions at Plymouth Church.

The charred and crumbling ruins of the Brooklyn Theatre presented yesterday a more dismal aspect, if possible, than at any previous time since the late dreadful calamity. The cape of snow, which, like a winding sheet, threw its folds over the scene of woe, almost concealed from sight the greater part of the desolate ruins, leaving here and there uncovered burned beams and joists, among which might be seen the shattered and half fused remains of iron work that had once ornamented or sustained the stage and auditorium. The fearful, burning pit, into which hunprecipitated, was filled with the debris of the surrounding rule. The remnants of clothing which fatal night were to be seen strewn about in all direcunrecognizable shreds. The ground had been carefully gone over by the workmen who exhumed the remains the way of exploring the area lately covered by the theatre will probably be finished to-day.

MORE NELICS DISCOVERED.

About twenty men were at work on the rulns yesterand the others set to search the space behind where the stage was. Up to a late hour yesterday afterit is thought quite possible that some individuals may have perished in the alleyway. The passageway here indicated is filled in to a depth of over four feet by loose bricks, morkeys, pencils and a few other valueless articles were ture stamp in relief of the Immaculate Conception. These articles are supposed to be those that were worn by Miss Ida Vernon, who took the rôle of the Nun.

The ruins of the building were taken charge of yes-Stevenson, the builder, has entered into a contract to pull down what remains of the overhanging present condition. This somewhat dangerous men, and in the course of two or three days it is expected that the work will be sufficiently advanced to allay apprehension of dauger from it. The policemen of Captain Smith's precinct, whose quarters are con-tiguous to the ruined playhouse, are not permitted for

the present to occupy their old billets.

While working at the right hand side of the stage the men employed there discovered the carpet of the dressing room in the corner. It was wet and discolored, but not greatly injured. It was thought by some of those on the spot that this ruibed dressing room is the one occupied by Miss Ethel Allen just before she made her remarkable escape. The walls will have to be taken down to the foundations before it will be safe to rebuild on the ground they occupy.

will have to be taken down to the foundations before it will be safe to rebuild on the ground they occupy.

MOURNING KYRRYWHERE.

On the half-burned tower adjoining the theatre a sorry looking lies is displayed at half mast. The national ensign is housted also in the same way over the Post Office, City Hall and other public as well as private edifices within sight of the scene of the calamity. The lacades and doors of these buildings are still draped with the emblems of mourning, and the number of women to be seen in sable weeds about the streets is remarkable.

CAPTAIN SHIFE AND THE COAL HOLE.

Police Captain Smith, who was charged by some evil-intentioned person with preventing the escape of men through the coal souttle, says that the charge is so gratuitously malicious that he will not deign to answer it. Officer George Flushing, who belongs to the Third district, states that it was he, and not Captain Smith, who pulled the two men out of the securic. He was passing along the sidewalk in front of the theatre, when the iron hid of the scuttle was raised and a man from, below put his head through it. Finshing, aided by a citizen whose name has not been ascertained, pulled the stranger out of his perilous position. Another man then came to the hole and was in like manner rescued. These parties, whose addresses the officer had not time to assertian, said, in answer to his inquiries, that there were no other individuals in the cellar below, whereupon the officer, alter a short interval, during which no other persons approached the light, closed the scuttle.

FIR Marshait Keasy has been compelled to suspend proceedings in the investigation which he has insti-

tended to examine. He will be obliged to wait until the attending physicians allow their patients to be interrogated before he can go on, which will probably be in a day or two.

Marshai Keady received, yesterday afternoon, a note from the physician attending Charles F. Dougherty, of No. 67 Prince street, saying that Bougherty was well enough to testify, and in the evening he visited the residence mentioned and took the subjoined evidence. Mr. Keady is of the opinion that Dougherty was the last man to leave the gailery:

Charles Dougherty testilied:—I was in the centre of the gallery on the night of the fire; the fire spread over the seenery in less than two minutes; everybody made a rush for the door, and some jumped over the partition on the heads, of others; a friend who was with me and I started for a window used for ventilating purposes; the smoke was so thick I could not see; the window was just large enough to crawl through; there was one young man after me, but he did not come out; I remained on the gravel roof some time; I was badly burned before I could get out; it was not more than live minutes from the time I first saw the fire that i left my bowels burning; when I left the gallery the people were crowded around the door trying to get to the stairs; I do not think they could have escaped had there been two stairways on each side, the fire spread so rapidly; others mist-have been burned, as I neard them shrieking; there was a fearful draft; I never saw a fire burn up so quickly; I knew when I got out a great many must be lost; mora persons would have been saved had the actors given notice when they first saw the fire, but I do not think that they realized the danger; the burning curtains fell on the stage before the actors left it; I have been in the gallery acverse himes, but never before experienced any utiliculty in getting out of it.

Henry Miller, of No. 181 Sumter street, reported to the potice yesterday that José Lepez, who lived at his house, has not been seen a since I useday again. Lopez wa

THE BELIEF FUNDS.

criptions for the relief of the sufferers still con-

Received at the Mayor's office:—Previously acknowledged, \$2,938; R. W. How, New York and Brooklyn cooperage, \$25; officers and crew United States ateamer Swatara, \$195; Isadore M. Bon, \$20; J. B. shenfeld, \$10; Wilkinson Bros. & Co., New York city, \$100; A. Cunningham, City Treasurer, \$10; Lafayette avenue Presbyterian Church (Rev. Dr. Cuyler's) through ex-Mayor Lambert, \$208; Dr. J. I. Smith, \$5; Mrs. Dr. Smith, \$5; Mrs. Dr. Smith, \$5; Mrs. Zleanor P. Smith, \$5, Mrs. Dr. Smith, \$5; John Henry Bull, New York city, \$25; J. E., \$1; Cash, \$0 cents: Rev. Mr. Steimle, \$5. A sympathizer, \$5; John Henry Bull, New York city, \$25; J. E., \$1; Cash, \$0 cents: Rev. Mr. Steimle, \$5. A. Morch, \$2; Benjamin W. Wilson, \$23. Through Joseph L. Bates:—Clerks in New York Underwriters' Agency, \$34; clerks in Hepublic Fire Insurance Company, \$5; clerks in Republic Fire Insurance Company, \$5; clerks in Republic Fire Insurance Company, \$5; clerks in Remeater Fire Insurance Company, \$5; clerks in German American Fire Insurance Company, \$5; clerks in Firemen's Fire Insurance Company, \$5; clerks in Firemen's Fire Insurance Company, \$5; clerks in German American Fire Insurance Company, \$5; clerks in Firemen's Fire Insurance Company, \$6; clerks in German American Fire Insurance Company, \$6; clerks in Ger

Total.

IN NEW YORK.

The following subscriptions have been received at the Henald office for the rollet funds—Dion Bouchcault, \$500; Mischel, Vance & Co. [employes], \$60 50; Hall, \$5, Mrs. E. L. Davenport, \$20; Cedar Street, 50 cents; Widow and Orphans' Mite, \$2; Windsor Dramatic Club, \$50; Pedgy, \$6; Two Bookkeepers, \$5; M. G. Bouver, \$50; Marie Gordon Raymond, \$100; Louis M. Frischer, \$5, Sympathy, \$1; D., \$5; Rose Eytinge, \$25; Mrs. 'A. J. Garvey, \$100; P. W. Phelan (one day's receipts of store No. 40 Broadway), \$25 10; Mrs. S. L. Philips, \$5. Total, \$985 10.

The combined funds collected in New York and Brooklyn now foot up the handsome sum of \$10,217 10.

Entratainments in No finds the Vertexers.

At Harry Hill's Theatre, corner of Houston and Crosby streets, will be given, in aid of the relief fund, on Thursday evening, December 14, "a sparring, wresting, atheits and variety entertainment."

A telegram from Monircal announces that three performances in aid of the sufferers by the Brooklyn fire will be given this week by the company at the Academy of Music, nine of whom were connected with the Brooklyn Theatre before their arrival there.

From Newark the announcement is made that the Crescent Quartetic Club will give a concert for the benefit of the fund. The companies at Waldmann's Westphalia Hail and Ward's opera House have also consented to give benefits in aid of the sufferers were much better filled last night than on the previous evening, on the occasion of the second benefit for the sufferers were much better filled last night than on the previous evening, on the occasion of the second benefit for the sufferers were much better filled last night than on the previous evening, on the occasion of the second benefit for the sufferers were much better filled last night will not the propile seated down stairs was quite an improvement on the performance of Monday. Fix gainers, however, were quite deserted in both places.

seated down states was quite an improvement on the performance of Monday. The galleries, however, were quite deserted in toth places.

At the "classical solrce" given by Mr. H. Mollenhauer at the Atheneum, at which Messrs. S. B. Mills, Et. Mollenhauer, Emit Gramm, Rich, Mellenhauer and Branders volunteered their assistance, about \$250 was realized.

Branders volunteered their assistance, about \$250 was realized.

COMMITTEES IN CONFERENCE.

Representatives of the various relief committees assembled in meeting at the Mayor's office yesterday afternoou to take some action toward a consolidation and to establish a permanent headquarters in a central location, where cases of destitution can be recorded and investigated. Sheriff Daggett, Colonel to the Citizens' Relief Committee; General Lioyd Libe Citizens' Relief Committee; General Lioyd Mapinwall appeared in behalf of the New York Citizens' Committee; Rev. Dr. Putnam, of the First Univarian church, and Mr. Poster, appeared as representatives of the Union for Christian Work, and Mr. Seth Low came to tender the use of an apartiment to be used as a headquarters it one was desired.

All the gentlemen present coincided in the opinion that a concentration of the work should take place in order to prevent the going over of the same ground by any two committees. Mr. Aspinwall said that the New York committee would cheerfully acquiesce in any plus proposed by the Brooklyn gentlemen. Sheriff Daggett stated that the names of all the suffering families, so lar as they could be ascertained, were now being printed according to locatines, and would be ready lor distribution.

THEATRE FIRES.

AN EXAMINATION OF THE PARK AND THE NEW

BROADWAY-FIREMEN FOR THE THEATRES. The orders which are given below have been issue by the Fire Department of this city. The first order district in which there are theatres or other places of

district in which there are theatres or other places of amosement;

Sin - You will in receipt of this order and laying all other business aside process to make an inspection of the following places. (Pere follows the theatres and other places of amosements in the district.)

The isspection will be made with special reference as to what means are now as hand on the premises for fire extinguishment and the condition of the same. You will also ascertain the number and the character of the appliances which should be provided and how distributed for the mass that will be made in the number of the same that the number of the mass that the proper distribution durant with the proper distribution durant with the proper distribution durant in the competions of the parties in charge of the same; also the means of communicating alarms to the fires and lights and the receipt of the parties in charge of the same; also the means of communicating alarms to this department.

Your report will be made in detail after the completion of the inspection in each particular place, and will be immediately forwarded to this office. By order of the parties in charge of the same; also the means of communicating alarms to this department.

W. P. Allex, Clerk.

FIREWEN FOR UNION SQUARE THEATER.

HEADQUARTERS FIRE DEPARTMENT, CITY OF NEW YORK, 155 and 157 Mercer STREET, New YORK, 155 and 1

ind men will be assigned positions by you, instructed as their duty and will not leave their positions, except in

The men will not leave their positions, except in closing duty and will not leave their positions, except in closing of duty.

They will use the all the appliances for the extinguishing. They will not be realisted in a recept menting our; and at lead, so as to be scallable in case of menting. You will use core in selecting the men for this duty and they will not be changed or substituted by others. You are expected to make requent visits to see that the men are at their posts and attentive to the duty to which they are assigned. In companies from which the details are made the tour of duty of the streat patrol for the fourth tour will be disponsed with. By order of ELI BATES, Chief of Department.

W. P. ALLEN, Clerk.

W. P. ALLEN, CIERK
THE INSPECTIONS VESTERDAY.
The inspectors from the Department of Buildings,
consisting of Deputy Superintendent Henry J. Dudicy,
Robort Magunis, Andrew Owens and J. K. Hyde, continued their inspection of public places of amusement yesterday. In the visits to the Bowery, Stadt and Union Square theatres on the previous day they col-lected important matter which they will embody in a complete report of all the theatres as soon as the entire number have been visited. In the preparation

complete report of all the theatres as soon as the entire number have been visited. In the preparation of a work so important and in which radical reforms in some distances may have to be introduced, it is the intention of the inspectors to compare notes, exchange views and fully investigate all plans of the construction of the theatres. The conclusions they will arrive at will be based on what they observe in their present inspection, and will, therefore, be a matter of much importance. This they seem fully to appreciate, and are, therefore, determined to perform their labor in a thorough and effective manner.

The first place visited yesterday afternoon was the Park Theatre, situated on Broadway, between Twenty-first and Twenty-second streets. This theatre has two tiers above the parquet. A visit to the gallery was first made. It is capable of teating about 200 people. The stairs leading to it, though wide, have many turns. There is only one exit into the main stairs, but after getting out of the gallery proper and after descending about eight or ten steps a door opons into an adjoining building, through when egrees to the street can be had. The second tor or dress circle is similarly arranged, save that the extra stairs could not be turned to account for occupants of this part of the hodes in case of a real. This tier will seat 282 people.

that it was the best arranged stage in that respect that he had as yet sees.

THE NEW BROADWAY TREATER.

After leaving the Park the inspectors directed their steps toward the new Broadway Theatre. This building, formerly known as Wood's Museum, was put up for Mr. John Bauward. He conducted it successfully for a time, but it subsequently changed hands, and now, after various changes of fortune, it comes again into the posso-sion of its original bases. Both Mr. Banward and Mr. Ferdinand Unger, his business manager, were at the theatre when the inspectors called. The place is undergoing a complete change. The gallery, capable of accommodating 500 people, was first inspected. From this place there was one door, eight teet wies, leading to the corridor at the head of the stairs. After leaving the gallery foon there was only one passage to the stairs. The inspectors did not consider this sufficient and will recommend the removal of a partition which, when taken away, will afford every chance for rapid escape and enable the habitues of this part of the house to avail themselves of two wide stairs and capacious corridors. There are three windows in the gallery from one of which the roof of an adjoining building could readily be reached in case of extreme necessity. In the first tier or dress crele it was found that only one door opened into the corridors. The corridors, by the way, are separated from the theater proper by a brick wall. The inspectors will recommend that two his is also intended for the use of those in the gallery. The parquet has five doors in the gallery, the parquet has five doors opening into the first corridor. These doors will be thrown open every night. The means of egress from the parquet the subcrotor connedered very complete. The dressing rooms are all located under the stage, and in a large room, immediately under the sudge, and in a large room, immediately under the sudge, the back of the stage the roof of a stable can be reached by stationary iron ladders placed there some time since.

CARD

CARDINAL ANTONELLI'S MEMORY.

A solemn and affecting ceremony was performed Francis Xavier. The memory of Cardinal Autonelli was honored by the offering of a high mass and solemn

office for the repose of his soul.

The entire church was draped in mourning, and the The entire church was draped in mourning, and the altar, stripped of all ornament, was hung with black velvet embroidered with silver lace. In the body of the church was placed a catalaique, which was covered with a black velvet pall likewise embroidered with silver, and bearing on its centre a large white astin cross. The celebrant priests wore black vestments similarly decorated. All the "trappings and the signs of woe" were profusely exhibited in honor of the manes of the deceased prelate of the Church.

The music selected was especially appropriate to the eccasion. After an organ overture by Dr. Berge the cibir song "Cherubini's Requiem," in C minor.

The Rev. Father Daily acted as celebrant, Father McQuare and Mr. Plante assisting as deacon and subdeacon respectively. The Very Rev. Drs. Conrey, Bishop of Albany; Lynch, Bishop of Charleston, and Loughin, Bishop of Brooklyn, with Fathers Aubril, McCarthy, Charann, Hadon and Duranquet occupied seats by the alter and participated in the observances.

James Fogarty, alias Red Fogarty, of Rivington and Forsyth' streets; William Henry, of No. 180 Hester street, and Thomas Ferguson, of No. 239 Henry atreet, street, and Thomas Forguson, of No. 239 Henry street, the notorious burglars arrested by Detectives Dorsey and Adams, of the Central Office, in the saloon kept by James Johnson, alias 'Jersey Jimmy,' at No. 61 Chrystie street, were rearraigned before Justice Bixby at the Washington Pince Poince Court yesterday. Detective Dorsey stated to the Justice that the prisoners were arrested on analytical of burglastic that the prisoners were arrested on manyingon of burglastic that the prisoners were arrested on manyingon of burglastic that the prisoners were arrested on manyingon of burglastic that the prisoners were arrested on manyingon of burglastic that the prisoners of the printings of burglastic that the prisoners to Mr. Lioyd, the cooper, of No. 12 Old slip, who saw the burglars at work, and he failed to identify them. They were never distributed by the prisoners of the printing discharged by Justice Bixby. Fogarty's wife and child, who were waiting for him outside the court, greeted him affectionately on his release.

COLONIZATION OF THE SIOUX.

THE SEVEN BANDS TO GO TO THE INDIAN TER RITORY SOUTHWEST OF KANSAS AS SOON AS GRASS GROWS NEXT SPRING.

[From the Kansas City Times.]
There arrived in Kansas City last evening on the
Kansas City, St. Joseph and Council Bluds passenger train Colonel A. G. Boone, one of the Indian Co. sioners sent out recently to negotiate a treaty with the Sioux. This gentleman is on his way to Washington, having been summoned there to make a report upon the progress made in peacemaking with the Sloux. Colonel Boone is one of the earliest pioneers of the Western plains, having made his first visit among the Sioux Nation as early as 1825, when he

the progress made in peacemaking with the Slour. Cotonel Boone is one of the earliest pioneers of the Western plains, having made his first visil among the Sloux Nation as early as 1825, when he made the acquaintance of Spotted Tail and his tribade on the control of the contr